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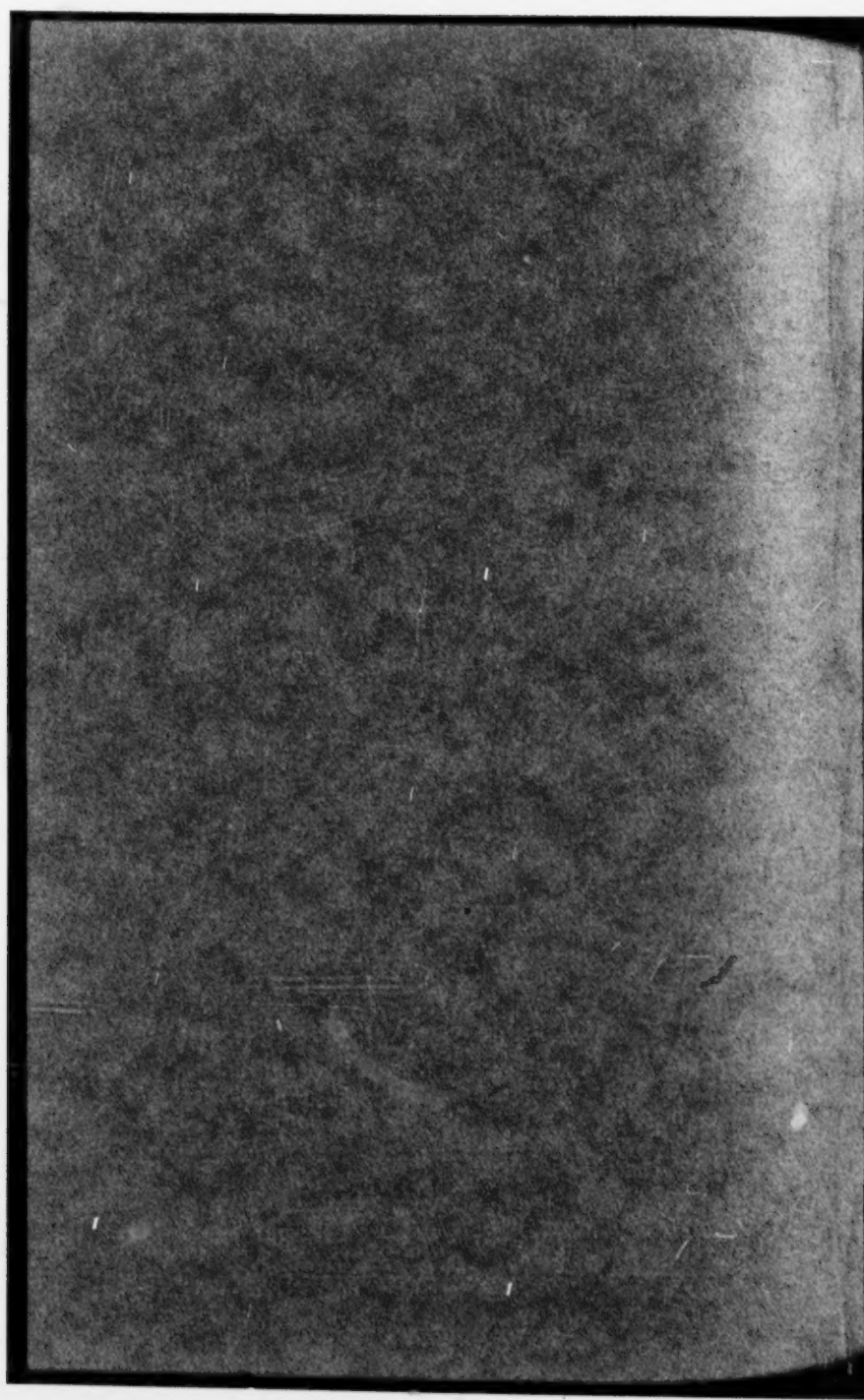
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Supreme Court of the United States

October Term, 1926.

J. F. LAWRENCE ET AL.,

Appellants,

vs.

ST. LOUIS-SAN FRANCISCO RAILWAY COM-
PANY,

Appellee.

No. -----

MOTION TO ADVANCE.

Come now the appellants and move the Court to advance said cause for hearing at the earliest convenient date, and in support of said motion state the following facts:

This is an appeal from an interlocutory injunction in a three judge case restraining the Corporation Commission and the Attorney General of Oklahoma from enforcing a statute of that state. The facts, briefly stated, are as follows:

In February, 1917, upon the application of various citizens of the City of Sapulpa, Oklahoma, the Corporation Commission of the State of Oklahoma made a tem-

porary order prohibiting the St. Louis-San Francisco Railway Company from moving its terminals and shops then located in the City of Sapulpa pending a hearing of the cause by the Commission. Shortly thereafter evidence was offered in said cause by the plaintiffs; but before any evidence had been offered by the Railway Company the Legislature passed an act providing that the shops and terminals of railroad companies which had been located for a period of five years should not be moved unless and until the railroad company applied to the Corporation Commission for and obtained an order permitting such removal. Thereafter, no further proceedings were had in the cause pending before the Corporation Commission until December, 1926, when the plaintiffs in that cause represented to the Corporation Commission that the Railway Company was on the point of moving its shops and terminals from the City of Sapulpa in violation of the statute of the state, and without complying with the statute. Thereupon, the Corporation Commission issued a further temporary order prohibiting the Railway Company from removing its shops and terminals without complying with the statute, and setting the cause down for hearing on the 19th of January, 1927. Thereupon, the Railway Company brought this action in the United States District Court for the Northern District of Oklahoma, seeking to enjoin the members of the Corporation Commission, the Attorney General of the State of Oklahoma,

and the citizens of Sapulpa from hearing the cause pending in the Corporation Commission, and from taking any other or further steps towards enforcing the order theretofore entered, or the Act passed by the Legislature in 1917.

The application for an interlocutory injunction was heard and granted by three Judges, pursuant to Section 266 of the Judicial Code, restraining the defendants in this case—the appellants here—from taking any further steps towards enforcing the order of the Corporation Commission, or the statute of the State, and this appeal brings to this Court for review the order of the three Judges granting the interlocutory injunction.

The appellants, who are the members of the Corporation Commission of Oklahoma, the Attorney General of Oklahoma, and the citizens of Sapulpa, respectfully move the Court to advance said cause for the reason that it is contemplated by Section 266 of the Judicial Code that such a proceeding shall be given precedence and in every way expedited; that in granting the interlocutory injunction the lower court has held an act of the Legislature to be unconstitutional, and in doing so refused to follow the opinion of this Court in *International & Great Northern Railway Co. v. Anderson County*, 246 U. S. 424, 433; that under the interlocutory injunction the appellee is free to move its shops and terminals, and that if it does so ir-

reparable injury may be done the railway employees affected, the City of Sapulpa, and its citizens, and the State of Oklahoma.

Appellants believe that the interlocutory injunction was improvidently granted, and in order to protect their rights as speedily as possible, they respectfully pray the Court to advance said cause upon the docket and to hear it at as early a time as the convenience of the Court may permit.

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